



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2302586

Applicant Name: Gary Braun for City of Seattle Fleets and Facilities Dept.

Address of Proposal: 12600 Stone Avenue North

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use and construct a one story prefabricated building for a vehicle repair facility in an Environmentally Critical Area (40% Steep Slope). There is grading associated with the proposed structure. Phase I of II, construct foundation for the proposed commercial building.

The following approval is required:

SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site Description

The approximately 521,298 square foot rectangular site is located in a Commercial Two zone (C2-40) and makes up one city block. The construction area (approximately 44,000 sq. ft) for the proposed single story commercial structure (11,937 sq ft of floor area) is located in the northwest corner of the site as shown and outlined below (Graphic 1). There are approximately seven other existing structures located on site, with many accessory structures also existing on the site. The entire site has

approximately 885 lineal feet of street frontage on Stone Ave N, approximately 602' of frontage on N 125th St, 840' of frontage on Ashworth Ave N and 615' of street frontage on N 128th St. Stone Ave N, N 125th St, and N 128th St are paved with a curb, gutter and a sidewalk on the development's side of the street. The northern portion of Ashworth Ave N that abuts the site is paved with a curb, gutter and a sidewalk on the proposed development's side of the street. At the south end of where Ashworth Ave N abuts the site there is a mapped ECA flood prone area mapped by the City of Seattle. The site has no abutting alley; vehicle access to the proposed structure will be from the abutting street system and one of two existing access points. The site is vegetated around the perimeter with

brush, grass, and many trees which all provide a buffer from the surrounding street system. The site contains 40% Steep Slope Environmentally Critical Areas (ECAs) as determined by DPD after review of the required topographic survey.

Area Development

Zoning in the vicinity is Commercial One and Two to the north, west and south with varying height limits (C2-40', C1-65'). To the northeast, east and south east the zoning is Single Family (SF-7200). The area development is consistent with the zoning except that the Bella B Mobile Home Park directly south of the subject site is zoned for commercial use where currently only residential uses exist, which is inconsistent with the zoning designation. Directly west of the site is Haller Lake, which is a purely residential neighborhood.

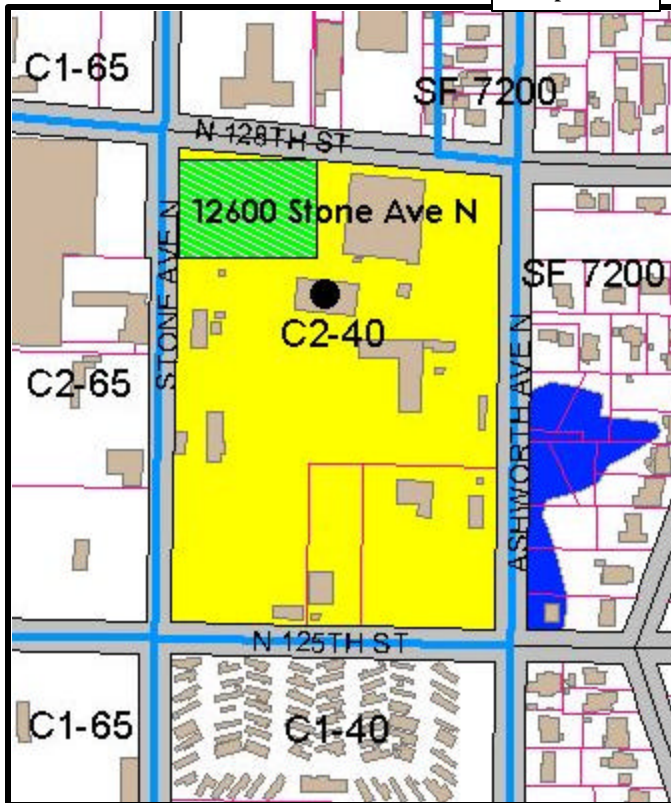
Proposal Description

The applicant proposes to construct an 11,937 sq. ft. single story commercial structure for the purpose of repairing and painting vehicles for The City of Seattle Fleets and Facilities Department. There are eight (8) new parking spaces proposed for the new development. Vehicle access for the new development is proposed off of Stone Ave N at an existing access point approximately 160' south of the intersection of Stone Ave N and N 128th St. Outdoor surface parking is proposed on the west side of the proposed structure.

Discussion

The proposed use is both a major noise and major odor generator. As a result an acoustical report was prepared by the applicant. In summary, the predicted paint booth fan noise from the rooftop vents, when combined with transmitted shop noise through roof and exterior walls, will be less than the nighttime 47 dBA ordinance noise limit at the nearest residences located north and east of the shop facility. The report is located in the project file.

Graphic 1



The major odor generator designation of the proposed use in this case requires that the applicant apply for a permit with Puget Sound Clean Air Agency (PSCAA). PSCAA requires that all facilities installing a paint spray booth must submit a notice of construction application as per Regulation I Section 6.03 prior to construction. The applicant was made aware of this requirement and was sent the proper paper work: A Spray Coating Operations (SCO) application and a Notice of Construction (NOC) information sheet. Also the applicant must submit copies of the submitted SEPA checklist and a copy of this Land Use decision.

Public Comments

The public comment period for the proposed project ended on December 3^d, 2003. No public comment letters were received during the public comment period.

ANALYSIS - SEPA

The proposal site is located in a 40% Steep Slope Environmentally Critical Area and pursuant to Seattle Municipal Code 25.05.908-C1c; the proposed construction is not exempt from SEPA review. The proposal is not SEPA exempt from the above cited section as the type of construction proposed (commercial) is within the 40% Steep Slope environmentally critical area. SMC 25.05.908-C1c states that the following types of development shall not be categorically exempt in designated environmentally critical areas: Office, school, *commercial*, recreational, service, and storage buildings and thus the proposal is not exempt from SEPA. The proposal (11,937 sq ft) is at or below the allowable SEPA threshold of 12,000 sq ft for establishing a new use with new construction.

Further, the proposal applied for and was granted a steep slope exemption on August 8th, 2003. As a result, the threshold disturbance level of 30 percent of the Steep Slope Critical Areas were waived on the basis that the steep slopes at the site appeared to be previously developed through legal grading activities. The ECA General Submittal, and Landslide Hazard Development Standards, as well as other applicable ECA standards are still applicable.

SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations.

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist (prepared September 8th, 2003), and supplemental information in the project file submitted by the applicant. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects forms the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA

authority. The Overview Policy states, in part, “Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,” subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Some short-term adverse impacts are anticipated from the proposal.

The SEPA Environmentally Critical Areas Policy (SMC 25.05.908) provides a listing of categorically exempt activities in certain environmentally critical areas as mapped and regulated in SMC 25.09, Regulations for Environmentally Critical Areas. These ECAs are subject to additional environmental review to determine impacts and, if warranted, to provide further mitigation beyond the development standards required by all City codes. Thus, a more detailed discussion of some of the impacts is appropriate.

Short - Term Impacts

The following temporary impacts are expected: 1) temporary soil erosion; and 2) loss of soil stability. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Building Code (construction measures in general); 2) Stormwater, Grading, and Drainage Control Code (temporary soil erosion); and 3) Geo-technical review (soils engineering). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient current and long term mitigation; imposing specific conditions is not necessary for these impacts. However, the proposal site is located in a Potential Slide Environmentally Critical Area.

Earth

The ECA Ordinance and Directors Rule (DR) 3-93 requires submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. A geo-technical evaluation was prepared on July 8th, 2003, which states, “Based on our field explorations, research, and analyses, the proposed facility appears feasible from a geotechnical standpoint, contingent on the recommendations presented herein.” The submitted geo-technical report details further the specific requirements for proper construction of the proposed grading, foundation, retaining wall, and structure. The geo-technical report is located in the project file.

Also, the site is located in mapped within 1000’ of an abandoned land fill and as a result the applicants provided a methane investigation report for the proposed construction area. The summary of findings of the report is as follows:

- The results of the six soil gas sampling locations surrounding the proposed construction area indicated that methane was not detected at 5 feet below ground surface locations surrounding the proposed paint shop.
- This investigation indicates that methane is not of concern for construction or operation of the paint shop.

The methane investigation report is located in the project file.

Long - Term Impacts

There are no significant long-term impacts to the ECA resulting from the proposed structure and construction. No conditioning is warranted per SEPA policies.

Summary

City codes and ordinances adequately regulate and provide extensive conditioning authority to mitigate the potential impacts to earth as identified in the foregoing analysis. There are no significant long-term impacts anticipated to affect the ECA.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS – SEPA

None

Signature: _____ (signature on file) Date: May 13, 2004

Lucas J. DeHerrera, Land Use Planner
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